

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C).No. 24780 of 2015 (V)

PETITIONER:

**N.A.RAJU, USHUS,
NEDUMPARAMBIL HOSUE,
PUNKUNNAM ROAD, PUNKUNNAM,
THRISSUR-680 002.**

**BY ADVS.SRI.S.ARUN RAJ
SMT.C.T.SUJA**

RESPONDENT(S):

- 1. THE ASSISTANT COMMISSIONER OF INCOME TAX,
CIRCLE 2(1), RANGE-2, THRISSUR-670 006.**
- 2. THE COMMISSIONER OF INCOME TAX (APPEALS),
OFFICE OF THE COMMISSIONER OF INCOME TAX (APPEALS),
THRISSUR-673001.**

**BY SRI.K.M.V.PANDALAI, SC
SRI.JOSE JOSEPH, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 24780 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1: TRUE COPY OF THE ASSESSMENT ORDER DATED 26.3.2015 PASSED
BY THE 1ST RESPONDENT FOR THE AY 2009-10.**

**EXHIBIT P2: TRUE COPY OF THE STATUTORY FIRST APPEAL FILED BEFORE THE
2ND RESPONDENT FOR THE AY 2009-10.**

**EXHIBIT P3: TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT FOR THE AY 2009-10.**

RESPONDENT(S)' EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 24780 of 2015

Dated this the 13th day of August, 2015

J U D G M E N T

The petitioner has filed this writ petition challenging Ext.P1 assessment order for the years 2009-10 passed by the 1st respondent. The petitioner has preferred Ext.P2 appeal along with ExtP3 petition for stay against the said order.

2. Heard both the sides.

3. Considering the facts and circumstances of the case, this writ petition is disposed of directing the 2nd respondent to consider Ext.P3 after issuing notice to the petitioner, within a period of three months from the date of receipt of a copy of this judgment. Till a final decision is taken as directed above, all the coercive proceedings shall be kept in abeyance.

Petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 2nd respondent for further steps.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.